

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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UMAR ALLI,

Plaintiff,

v.

CAPTAIN LISA STEWARD-BOWDEN (#1225);  
CAPTAIN JOHANNA BANKS (#819);  
CAPTAIN JOSEPH CAPUTO, CAPTAIN B.  
BEHARRI (#1603); OFFICER LYDON VICTOR (#14410);  
OFFICER SANDY ARKHURST (#18507);  
OFFICER BUNTON; OFFICER TERRANCE DIXON  
(#17963); OFFICER ANDERSON ALCEUS (#18380);  
OFFICER VELEZ (#11352); OFFICER PHILLIPS;  
OFFICER ROHR (#18104); MARK A. SCOTT  
SHARMA DUNBAR (#717); WARDENS  
ROSE AGRO AND KATHLEEN MULVEY;  
CITY OF NEW YORK; DORA SCHRIRO;  
LEWIS FINKELMAN; CHARLTON LEMON;  
HILDY J. SIMMONS; MICHAEL J. REGAN;  
FLORENCE FINKLE; MICHAEL HOURIHANE;  
LARRY DAVIS, SR.; RICHARD T. WOLF  
CATHY POTLER; KENNITH T. ARMSTEAD  
CORRECTIONAL HEALTH SERVICES/  
PRISON HEALTH SERVICES and  
JOHN DOES 1 THROUGH 6.

**CASE NOS.**  
**11-cv-4952, 11-cv-7665**  
**(PKC) (KNF)**

Defendants.  
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**DECLARATION OF BIANCA M. FORDE IN SUPPORT OF PLAINTIFF'S REQUEST  
FOR REASONABLE EXPENSES INCURRED TO COMPEL THE COMPLIANCE OF  
DEFENDANT CITY OF NEW YORK ("CITY") WITH PLAINTIFF'S 30(B)(6)  
DEPOSITION NOTICE**

I, Bianca M. Forde, hereby declare as follows:

1. I am an associate in the law firm of Winston & Strawn LLP, attorney for Umar  
Alli, Plaintiff in this action.

2. I make this Declaration, of my own personal knowledge, in support of Plaintiff's Motion for Reasonable Expenses Incurred to Compel Defendant City's Compliance with Plaintiff's 30(b)(6) Notice (the "Notice"), and for costs, fees and sanctions under Federal Rules of Civil Procedure 37(a) and 37(d).

3. Plaintiff makes this request with permission of the Court as set forth in its October 1, 2013 Order [DE 172].

4. Defendants' refusal to submit to the Notice caused Winston & Strawn LLP, as *pro bono* counsel, to incur fees in the amount of \$19,810.50.

5. These fees and costs are attributed to Plaintiff's preparation of a motion to compel Defendant's 30(b)(6) testimony [DE 158-161] and motion in opposition to Defendant's untimely request for a protective order [DE 163-65] (collectively, the "Briefing").

6. The following attorneys assisted with the Briefing of these motions at their standard billing rates, reflected below:

Bianca M. Forde	\$620/hour
Diana L. Hughes	\$570/hour
Sofia Arguello	\$420/hour
Stacey L. Foltz	\$390/hour

7. Attached as **Exhibit A** is a true and correct copy of time entries kept in the normal course of business, reflecting time spent and fees associated with preparing the Briefing.

***Plaintiff's Motion to Compel***

8. Winston & Strawn LLP incurred \$3,720.00 in expenses, attributable to attorneys' fees, in connection with preparing Plaintiff's motion to compel the 30(b)(6) deposition testimony of Defendant City of New York [DE 158-161].

9. Winston & Strawn attorneys billed time to this matter at their standard hourly rates, as follows:

General description of tasks	Timeframe	Timekeepers	Fees incurred
Prepare motion to compel Defendant City of New York's deposition testimony	8/4/13	B. Forde (6 hours)	\$3,720.00

***Plaintiff's Opposition to Defendant's Motion for a Protective Order***

10. Winston & Strawn LLP incurred \$16,090.50 in expenses, attributable to attorneys' fees, in connection with opposing Defendants' motion for a protective order [DE 163-65].

11. Winston & Strawn attorneys billed time to this matter at their standard hourly rates, as follows:

General description of tasks	Timeframe	Timekeepers	Fees incurred
Conduct legal research in support of and draft Opposition to Defendants' Motion for Protective Order	8/8/13 – 8/15/13	B. Forde (16 hours) D. Hughes (4.65) S. Arguello (2) S. Foltz (0.3)	\$13,527.50
Prepare Opposition for filing	8/19/13	B. Forde (3.5 hours) S. Arguello (0.75) S. Foltz (0.2)	\$2,563.00

12. The fees and costs charged by Winston & Strawn are reasonable, reflect the customary rate charged to its clients for litigation, and are comparable to the rates charged by attorneys at similarly situated national firms.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 8th day of October, 2013 in New York, New York.

/s/ Bianca M. Forde  
Bianca M. Forde